

Examiner-Initiated Interview Summary	Application No. 10/578,900	Applicant(s) FISCHER ET AL.	
	Examiner VALERIE RODRIGUEZ-GARCIA	Art Unit 1626	

All Participants:

(1) VALERIE RODRIGUEZ-GARCIA.

(2) Robert Esmond.

Date of Interview: 9 December 2009

Type of Interview:
☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description: .

Part I.
 Rejection(s) discussed:
103 obviousness over WO 01/74770A and declaration of unexpected results.

Claims discussed:
1, 5, 8, 17-21

Prior art documents discussed:
WO 01/74770A

Part II.
 SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/V. R. G./
 Examiner, Art Unit 1626

Status of Application: allowable

(3) _____

(4) _____

Time: 3:00pm

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: First, All issues were discussed with Primary Examiner Kamal Saeed in a patentability conference on Dec. 9, 2009 at 12:30pm. The Examiner telephoned Mr. Robert Esmond. The new scope of the claims was discussed and compared to the unexpected results provided in the Declaration. Inclusion of "R1 represents alkenyl" in claim 1 was offered, since it is allowable and new claim 18 includes it. Claims 8, 17, 20 and 21 would be allowable if "herbicide" would be removed. Now, the Declaration of unexpected results would be sufficient to overcome the rejection of claims 1, 5, 8 and 17-21 because of the new scope of the invention presented in the claims as amended on 09/10/2009.